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OFFICE OF PETITIONS

In re Application of :
Long et al. :
Application No. 10/774,329 : DECISION GRANTING PETITION
Filed: February 5, 2004 :
Attorney Docket No. FRIEL-104 :

This is a decision on the renewed petition under 37 CFR 1.182, filed September 14, 2004, requesting that the above-identified application be accorded a filing date of February 5, 2004, with Figures 15 and 16 described in the specification as part of the original disclosure.

On February 5, 2004, applicants filed the above-identified application. On May 7, 2004, the Office mailed a Notice of Omitted Item(s) in a Nonprovisional Application, stating that the application had been accorded a filing date of February 5, 2004, and advising applicants that Figures 15 and 16 appeared to have been omitted.

In response, on May 24, 2004, applicants submitted a petition, a postcard receipt acknowledging receipt of 6 sheets of drawings on February 5, 2004, and an authorization to charge the Deposit Account for the petition fee. Applicants stated that Figures 15 and 16 were present on filing on the sixth sheet of drawings. On September 14, 2004, applicants submitted one sheet of drawings, containing Figures 15 and 16.

Upon review of the record, the one sheet of drawings containing Figures 15 and 16, deposited on February 5, 2004, has not been located among the application papers. However, the evidence is convincing that the application papers deposited on February 5, 2004, included 6 sheets of drawings, one sheet of which was subsequently misplaced in the United States Patent and Trademark Office.

Accordingly, the petition is granted.

The Office of Initial Patent Examination is directed **to accord the application a filing date of February 5, 2004**, using the application papers submitted on that date and Figures 15 and 16 submitted on September 14, 2004.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

Christina Tartera Donnell
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